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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,314	12/28/2000	Peiguang Zhou	11710-0200	9088

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EXAMINER

MCCLENDON, SANZA L

ART UNIT PAPER NUMBER

1711

DATE MAILED: 03/21/2003

17

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/751,314

Applicant(s)

ZHOU ET AL.

Examiner

Sanza L McClendon

Art Unit

1711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,11-16 and 18-33 is/are rejected.
- 7) ☒ Claim(s) 3-10 and 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 13.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 1711

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 11/20/2002 has been entered.

Allowable Subject Matter

2. Applicant is advised that the Notice of Allowance mailed 6/04/02 has been withdrawn per the Petition dated 11/20/2002. If the issue fee has already been paid, applicant may request a refund or request that the fee be credited to a deposit account. However, applicant may wait until the application is either found allowable or held abandoned. If allowed, upon receipt of a new Notice of Allowance, applicant may request that the previously submitted issue fee be applied. If abandoned, applicant may request refund or credit to a specified Deposit Account.

3. Prosecution on the merits of this application is reopened on claims 1, 8-15, 18-23, 25-27, 29, and 31-33 considered unpatentable for the reasons indicated below:

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 1711

Claims 1, 11-15, 18-23, and 31-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Ruuttu et al (WO 96/13434).

Ruuttu teaches methods for shrinking a shrink film. Said method comprises attaching surface resistances to the surface of a shrink film, such as by offset printing to the total film or to selective portions of the film, or by admixing said material the plastic to be shrunk then exposing said film to microwave energy, wherein the shrink film is provide with contact surfaces to which current from the microwaves energy is conducted and passes on to the resistive area. Said resistive substance is one that allows for rapid heating or heating at a higher rate than the surface areas not coated with (or in contact with) said resistive substance. Said resistive substance once exposed to microwaves will be heated at a higher rate, as described above, which will allow for a larger shrinkage of the area when compared to non-resistive coated areas of the film. Ruuttu et al teaches a shrink film having resistive substances coated upon it will shrink in 200 ms with a 12 voltage and 1 A current. Ruuttu et al is deemed to anticipate the claimed invention because Ruuttu et al teaches a method of shrinking of shrink film comprising selectively coating said film or admixing with said film a component that allows for rapid or enhanced shrinkage in areas comprising said component. Since Ruuttu et al is deemed to anticipate the claimed invention, it is deemed that the method would inherently work on any shape or size of heat shrinkable material.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Art Unit: 1711

Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 16, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruuttu (WO 96/13434).

Ruuttu is disclosed in the above rejection. Ruuttu does not expressly teach the types of polymers or plastics used as the shrink film material, however shrink films are well known in the art. Therefore, it would have been obvious for one of ordinary skill in the art to use any known shrink film in the methods as taught by Ruuttu. The motivation would have been reduce the amount of unwanted heat absorption in the substrate or in areas not to be shrunk with the expectation of adequate success.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 24-33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claims 24-33 recites the limitation "the method of" in the preamble. There is insufficient antecedent basis for this limitation in the claim. The independent claim 23 is a product by process claim. The dependent claims should recite the limitation of the article. Appropriate action is requested.

Allowable Subject Matter

6. Claims 3-10, and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 1711

7. The following is a statement of reasons for the indication of allowable subject matter: The prior art fails to teach a method of making a patterned material comprising the steps of claim 1, wherein the sensitizer is selected from the group in claim 3 and where the sensitizer coated polymer material is placed on a web and passed through the radiation at a pre-determined speed, such as those in claims 5-7, where the power of said radiation is greater than those listed in claims 8-10. The prior art fails to teach a patterned material like the type in claim 15 with a sensitizer selected from claim 17.

Conclusion

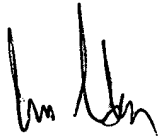
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanza L McClendon whose telephone number is (703) 305-0505. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on (703) 308-2462. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0657.

Sanza L McClendon
Examiner
Art Unit 1711

SMc
March 12, 2003



James J. Seidleck
Supervisory Patent Examiner
Technology Center 1700